



## Story County Planning and Development

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# Memorandum

**To: Story County Board of Supervisors**

**From: Jerry L. Moore, Planning and Development Director**

**RE: 2020 First Quarter Departmental Report—Planning and Development**

**Meeting Date: April 7, 2020**

The first quarter of 2020 brought many changes to the Planning and Development Department's function, as it did to Story County as a whole. With the COVID-19 pandemic, our department staffed the Emergency Support Function—Long-Term Recovery—in the Story County Emergency Operations Center beginning on March 18 with one staff member working for approximately eight hours a day. Our work has included research and disseminating information on the FEMA Public Assistance Program, Small Business Administration (SBA) Assistance, Small Business Relief Grant Program & Tax Deferral, and monitoring impacts to businesses in the community to develop and maintain a situational report and begin to develop long-term recovery plans. Much of this work was coordinated with the Ames Chamber of Commerce. Our department's role in the EOC has recently shifted to less daily hours. Under the support of the Board, department staff have been teleworking since March 30, 2020. Despite these changes, we had an active quarter and the transition to telework has gone smoothly, allowing us to continue to serve Story County.

Below you will find information on our department's activities in the first quarter of 2020, including zoning and other permits, development cases, and Work Program items. If you have any questions, I plan to attend and/or call into the April 7 meeting. Thank you for your leadership during this time.

## Zoning Permits

In the first quarter of 2020, the Planning and Development Department issued 20 permits. Table 1 shows a count of permits by type of structure. Almost half (nine) permits were for accessory structures

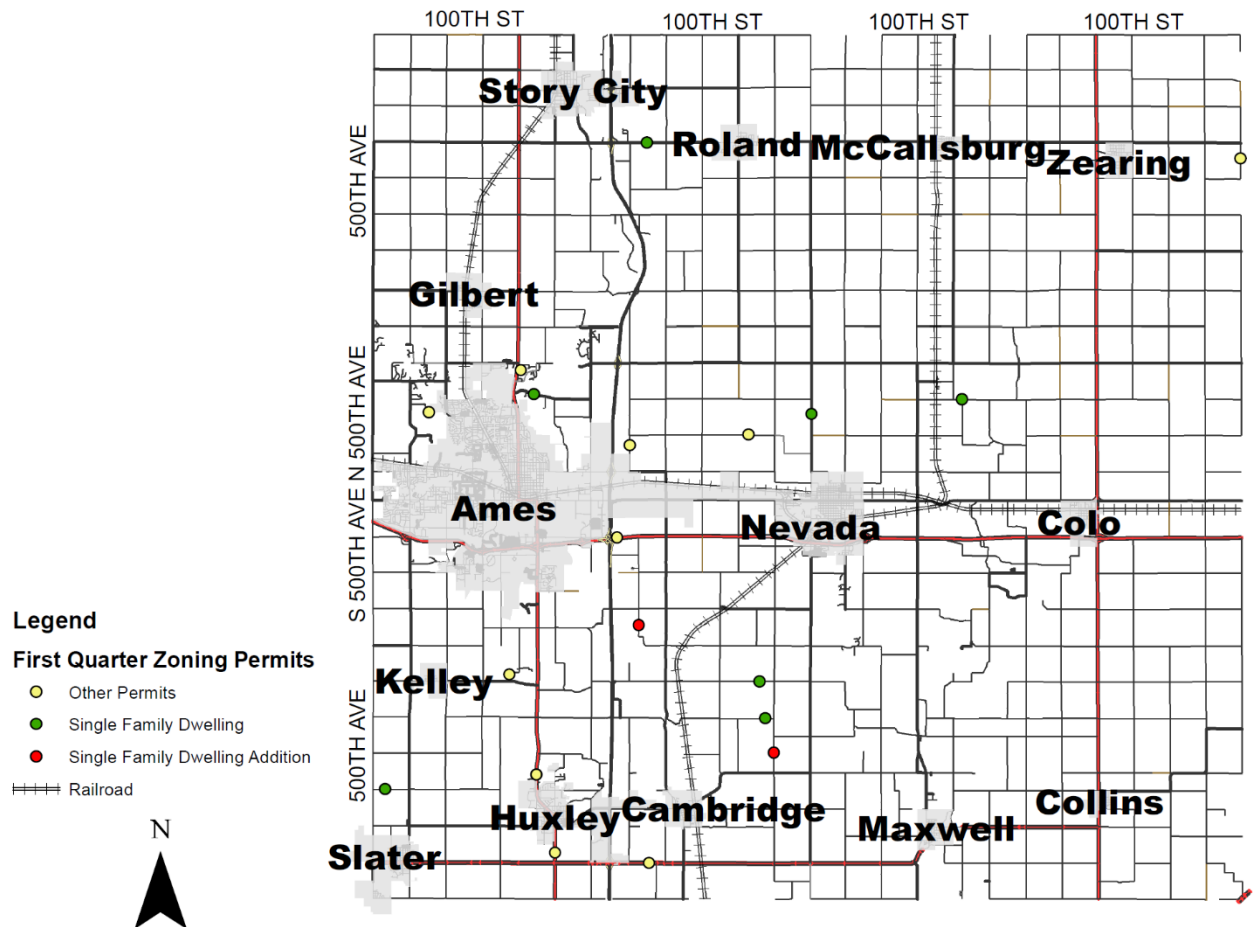


Figure 1: Map of the location of zoning permits issued in the first quarter, 2020.

such as pole barns and garages. Seven permits were for new single-family dwellings. Four agricultural exemptions were also issued in the first quarter, including one for a dwelling. A map of the location of the

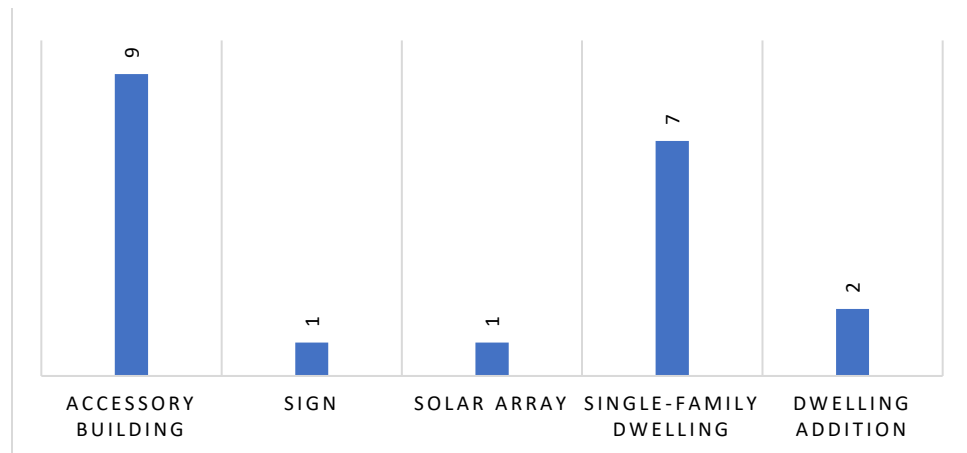


Table 1: Count of 2020 First Quarter Permits Issued by Structure Type

zoning permits is included in Figure 1.

Table 2 compares the number of total permits issued in the first quarter by year, beginning in 2015 through 2020. In 2017, there were 36 permits issued and ten were for single-family dwellings. This was the highest number of total permits and permits for single-family dwellings since 2015. The first quarter of 2020 had the second greatest total number of permits issued and permits for new single-family dwellings issued.

The total valuation of permits issued in the first quarter of 2020 was second highest to 2017. In 2020, the total valuation of permits was \$2,516,815. 57, compared to \$2,100,382.00 in 2016, \$2,637,072.39 in 2017, \$1,183,648.00 in 2018, and \$1,822,891.00 in 2019.

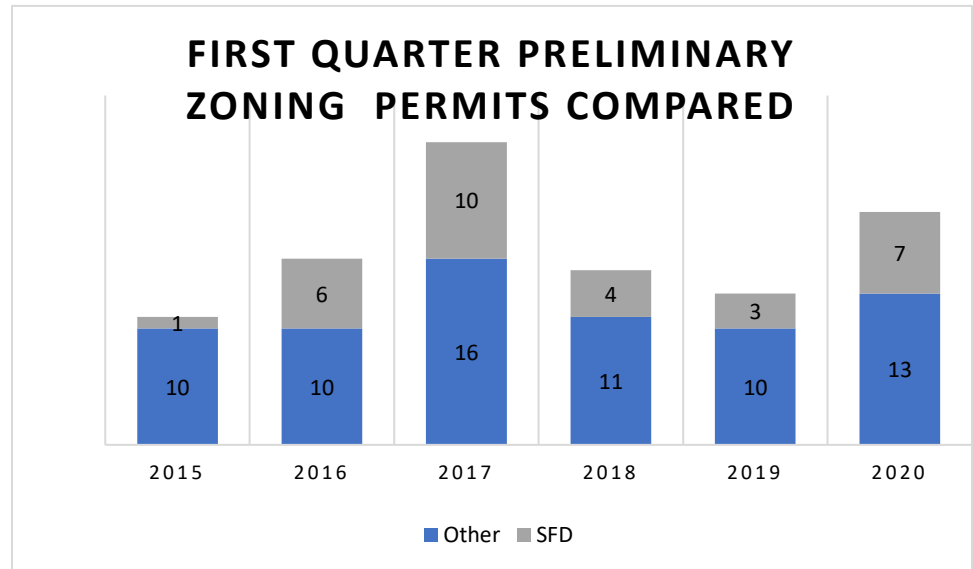


Table 2: 2015-2020 Comparison of First Quarter Permits Issued

The average valuation of a single-family dwelling increased from previous years due to three new homes valued over \$350,000. The average value of a single-family dwelling in the first quarter of 2020 was \$308,849. The previous highest average valuation for dwellings in the first quarter was in 2016 at an average of \$263,594.

### Development Cases

There were eight development cases heard by the Board of Supervisors or Board of Adjustment in the first quarter of 2020. These included five conditional use permits, one variance, one appeal of the director's decision, and one residential parcel subdivision. Table 3 is a chart comparing the number of development cases heard in the first quarter since 2016. There was one less development case this quarter, compared to the 2019 first quarter. A summary of each 2020 first quarter case is included below.

#### SUB09-19 Residential Parcel Subdivision C & S Cairns Subdivision

A Residential Parcel Subdivision request for Parcel #15-19-300-105 to reconfigure the parcel into two lots and one outlot as follows: proposed Lot 1, 2.61-net acres located on the western portion of the existing parcel, which would be considered buildable, and proposed Lot 2, 3.15-net acres containing the existing single-family dwelling and accessory structures, and proposed Outlot A, a 1.80 net-acre lot. The

outlot is not considered buildable, for the purpose of dividing the property owner's estate. The Board of

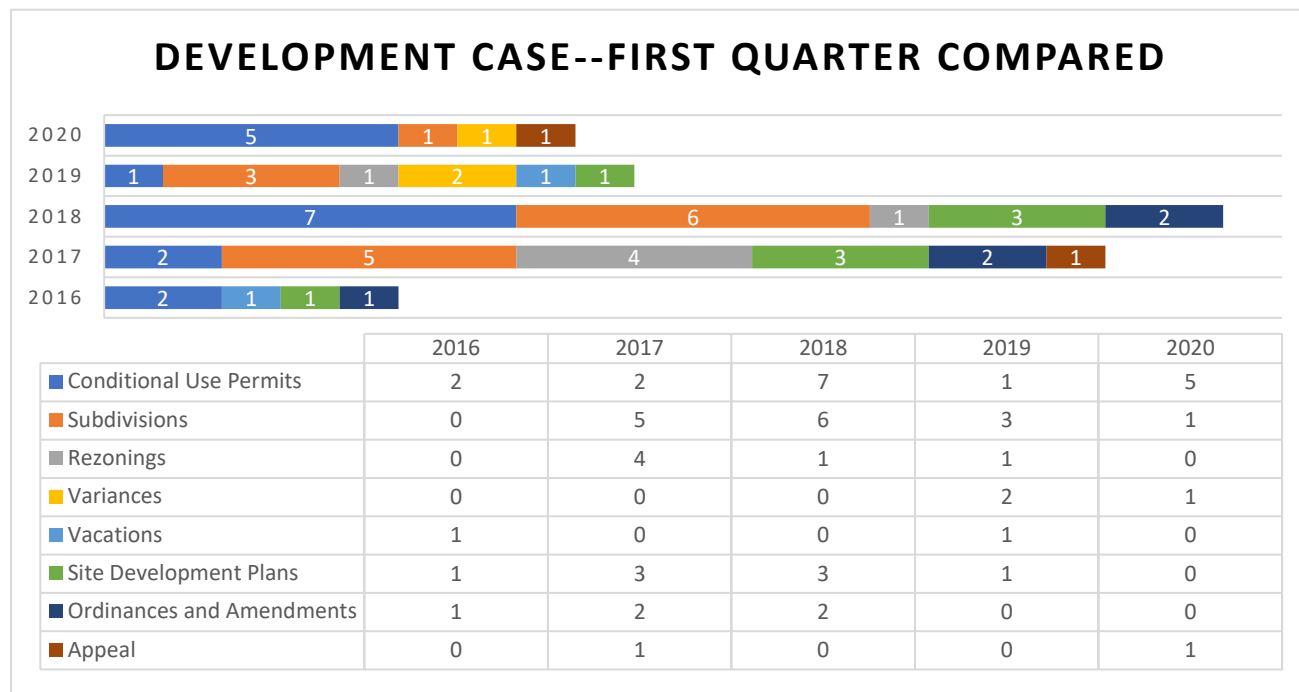


Table 3: 2016-2020 Comparison of First Quarter Development Cases

Supervisors approved the C & S Cairns Subdivision plat.

#### **CUP11-19 Story County Animal Control Short Term Livestock Control Building**

The Story County Animal Control Department proposed to erect a 25' x 30', short-term livestock control building to provide a replacement for the current structure that is in disrepair and cannot contain livestock effectively. This will allow Animal Control employees to be certain in their ability to contain livestock that are either strays or owner released. The Story County Board of Adjustment approved the Conditional Use Permit request.

#### **CUP12-19 Ballard Golf and Country Club and Proposed Maintenance Shop**

Ballard Golf and Country Club requested a Conditional Use Permit to bring the existing use and related associated structures into conformance with the existing ordinance. The golf course, when established in 1974, was a permitted use in the A-1 Agricultural District. In June of 1977, golf courses were removed from the permitted uses list in A-1 district and placed under the conditional use permits in the Story County Code of Ordinances. When golf courses were removed from the permitted uses in the A-1 district, the status of the Ballard Golf and Country Club became a legal non-conforming use due to the changes the County made to its ordinances. No conditional use permit was obtained prior to the 2020 request.

The golf and country club also proposed to erect a 40' x 40' maintenance shop for the golf course and country club. The proposed accessory structure would serve as the new heated shop, a 12' x 12' office area to house the irrigation computer, potentially a bathroom, and equipment storage. The Story County Board of Adjustment approved the Conditional Use Permit with conditions:

- The applicant shall obtain zoning permits for all existing structures, excluding the clubhouse, within 30 days of Board of Adjustment action.
- Support of the Conditional Use Permit includes the Board of Adjustment taking action on the submitted variance 06-19 for the existing structures located in the southwest area of the property.
- Direct illumination of the business sign must be discontinued.

**VAR06-19—Ballard Golf and Country Club Side Setback Variance Request for 35' x 24' and 23' x 33' accessory structures**

The request was for a variance to the minimum side setback for an existing accessory structure located in the A-1 District for other permitted uses, which establishes a minimum side setback of 50 feet. The variance request was to permit the existing 24' x 35' (840 square feet) and 23' x 33' (783 square feet) accessory structures that encroach on the side setback requiring a variance of 26 feet from 50 feet to 24 feet, from the closest point of the proposed building to the south property line. The existing accessory structures were built as part of the Ballard Golf and Country Club in 1975 but were never issued zoning permits. The Story County Board of Adjustment approved the variance requests with the following conditions:

- Permits for the two accessory structures must be obtained within 30 days of the Board of Adjustment action.
- Business sign lighting must be discontinued

**CUP02-90.6 Martin Marietta Ames Mine Slurry Drops and Off-Site Rescue Equipment Storage**

The CUP was a request for a minor modification to Martin Marietta's conditional use permit to allow the off-site storage of rescue equipment/trailer for the mine in an existing 40' x 60' steel utility building located at 3210 N Dayton Avenue, Parcel 06-30-100-300, and the addition of four slurry drops at the Ames Martin Marietta Mine, 831 Riverside Road, on Parcels 05-13-300-415, 05-24-100-210, and 05-24-100-425. An off-site location is preferable for the rescue trailer and equipment to ensure accessibility during an emergency. The slurry is proposed to be pumped through a 16" above-ground black plastic pipe to the drops (drilled holes) into previously mined out areas underground. Currently, the piping occurs underground, but the mine has become too full to continue below ground and above-ground piping is needed to complete the backfill of the mine with slurry. After the solids settle from the slurry, the water is reused. Martin Marietta anticipates using the drops one at a time for one to two years each until the mine under the drops is full. In total, the activity may occur for up to eight years. A driveway to the drop locations has already been constructed. When the underground areas are full, the drops will be plugged, and drives removed. The proposed uses will not generate traffic above periodic daily checks of the pipe and monthly training and maintenance of the rescue equipment/trailer. The mine processing/surface area is not proposed to change beyond the additional slurry drops, pipeline, and driveway.

The Board heard the request at their December 18, 2019, meeting and tabled the request until testing and analysis of the slurry to determine its makeup was conducted and a pipeline leak protection plan was submitted.

Martin Marietta submitted the requested slurry testing results and a pipeline leak prevention plan on February 3, 2020, to staff. The spill protection plan sufficiently addressed the concerns regarding the effects of a spill as multiple, redundant measures are proposed.

To summarize the slurry testing results, products used in the mine include diesel fuel and oil for heavy equipment, and ammonium nitrate as a rock-blasting agent. The applicant indicated that nitrogen, nitrate + nitrite was found in the water sample taken from the slurry and results are within drinking water standards. Diesel fuel or oil were not found in the sample. A substance was reported that was present within laboratory testing range for gasoline but was not present in the full range for gasoline. After reviewing the results, staff sought additional information on the applicable standards and specifically the substance that was present in the range of gasoline. Staff contacted the Iowa Department of Natural Resources and Iowa Department of Agriculture and Land Stewardship, who referred staff to the Environmental Protection Agency (EPA). Staff contacted Kurt Hildebrandt, EPA Region 7, Water, Wetlands & Pesticides Division, who works on the EPA's Underground Injection Control program. Mr. Hildebrandt informed staff that Martin Marietta should register the proposed slurry drops with the EPA under the Underground Injection Control Program. Part of the registration would involve the EPA's review of the slurry test results.

At the February 2020 meeting, the Board of Adjustment tabled the request until the EPA has registered or permitted the slurry drop/injection activities and Martin Marietta has contacted the Iowa Department of Natural Resources Water Quality Bureau and ensure no state-issued registration/approval is required and the state groundwater protection rules are met. Staff anticipates this will be completed for the April Board of Adjustment Hearing on April 15, 2020.

**CUP02-16.1 Request for a Minor Modification to CUP02-16 for an expanded parking area for Saints Peter and Paul Catholic Church 14238 500th Avenue.**

This request was to construct an addition to the existing parking lot at Saints Peter and Paul Church. Currently, parishioners park in the right of way or use stacked parking during larger events. The existing parking lot has 81 stalls. The addition would add 49 stalls on the east side of the existing parking lot. The expanded parking area would allow the church to provide adequate parking for larger events (weddings, funerals, holiday masses). The parking lot is gravel, as is the proposed addition. A 40-foot-by-46-foot area in the existing parking lot is proposed to be paved to provide three additional Americans with Disabilities Act-compliant (accessible) parking spaces. The applicant also proposes to extend a driveway from the expanded area of the parking lot to connect with an existing circular drive to the south for additional ingress and egress. The County Engineer has reviewed and approved this plan. The applicant has also requested alternative compliance to allow the required parking lot trees to count towards the required landscaping to be added to offset the additional impervious surfaces. The Story County Board of Adjustment approved the conditional use permit and alternative compliance request to allow the 10 trees required for the proposed parking lot to be installed south of the proposed parking area and count towards the requirement that 20% of the impervious area added be landscaped.

**CUP01-20 Windstream Broadband Communications Tower (Utility Pole)**

Windstream proposed to erect a 105-foot communications tower utility pole to provide broadband access to rural customers at 70064 320th Street. The communications tower will be constructed using a

galvanized steel finish utility pole. The pole will be 100 feet, with a 5-foot lightning rod for a total height of 105 feet. The Board of Adjustment approved the request with the following conditions:

- The written access and utility easement will be recorded with the Story County Recorder prior to the issuance of a zoning permit for the Communications Tower.
- Preliminary Zoning permit for the Communications Tower will not be issued until Story County Land Development Regulations Chapter 88.08 (4) Parking and Circulation Standards are met for well-defined circulation routes and clearly marked parking spaces acceptable to Planning and Development Staff.

#### **ADM 02-20 Swanson Appeal of Director's Decision**

On March 6, 2020, Andrew Swanson submitted a request to appeal the Director's (Planning and Development Department) Decision to the Story County Board of Adjustment that a zoning permit cannot be issued or an agricultural exemption cannot be approved to place a railroad caboose on his property located at 19269 650<sup>th</sup> Avenue. Principal permitted uses in the A-1 Agricultural District zoning of the property including agricultural row crop and/or livestock production, single family dwelling, horse stables, and cemeteries. When a principal permitted use is established in the A-1 District, an accessory use may also be permitted including, accessory buildings, home businesses, noncommercial wind energy conversion systems, solar energy systems, and towers and certain Conditional Uses. An accessory structure is defined as a structure detached from a principal building located on the same lot, parcel, or tract and customarily incidental and subordinate to the principal building or use. A railroad caboose is not identified in Story County's or state law as being agriculturally exempt from zoning. The Story County Board of Adjustment supported the director's decision to not issue a zoning permit or approve an agricultural exemption for Mr. Swanson to place the railroad caboose on the property. Another option to address the situation is to consider a possible text amendment to the Story County Land Development Regulations. At the meeting, the Director offered to work with Mr. Swanson and research how other counties in the state address similar requests prior to receiving a formal text amendment submittal from the applicant.

**Forthcoming Development Cases**—currently under review, anticipated action in second quarter of 2020

- Rasmusson Acres Residential Parcel Subdivision
- Anthony Acres Residential Parcel Subdivision
- Johnson Hill Estates Residential Parcel Subdivision
- Fausch Family Agricultural Subdivision
- Dotson Farms Major Subdivision
- Ames Izaak Walton League Conditional Use Permit
- Ames Triathlon Special Event Permit
- Squaw Valley Wastewater Treatment Site Plan
- Flood Plain Permit Application Story County Bridge Project at 730<sup>th</sup> Avenue
- Stratton Flood Plain Permit Application Wolf Creek Reconstruction

#### **Work Program Update**

- The Board of Supervisors took action in February to express the County's interest in extending the Ames Urban Fringe Plan past its expiration date of July 2021. Gilbert took the same action

and provided a copy of the city's resolution. Staff has also been in communication with Ames planning staff on this item.

- A draft of a disaster debris management guide is underway for the Construction and Demolition Landfill work program item.
- We have had weekly meetings with CitizenServe staff and anticipate the roll out of online zoning and related permitting sometime this spring or early summer. Our department will also offer all other services online, including development case applications and tracking and code enforcement by the end of the year.
- The proposed resolution and ordinances for the subdivision roads and signage is being reviewed by the County Attorney's Office.
- Planning staff completed a first time through review of the entire Story County Land Development Regulations, and have started our follow-up review and are currently on Chapter 86. Some of the proposed revisions are based on federal and state legislative changes. Review of lighting, parking standards, and conservation design subdivision standards (separate work program items) may occur partly with the comprehensive review of the regulations.
- A survey was sent to adjacent and other counties requesting information on building codes and regulations on converting accessory structures to separate dwelling units and other uses.
- A questionnaire was sent to Story County Department heads requesting information on their practices regarding waiving of fees to other units of government for services provided.
- Surveys were sent to Iowa Center and Shipley residents regarding community needs. The next steps are to meet with selected County Department staff and host a community meeting when recommendations on COVID-19 support it.
- Reviewing the natural resources map from the C2C Plan for Washington and Palestine Townships is underway—preliminary changes have been made.

#### **Other Items**

- We completed six property research reports and held two conceptual review meetings in the first quarter.
- We have begun to interview planning interns to start in May.
- We continue to communicate the importance of the 2020 Census. As of April 1, 2020, 43% of Story County households self-enumerated. The deadline is August 14, 2020.